

TITLE 60 OVERSIGHT COMMITTEE ON PUBLIC RECORDS

ARTICLE 1. GENERAL PROVISIONS (REPEALED)

(Repealed by Oversight Committee on Public Records; filed Aug 1, 1980, 9:15 am: 3 IR 1483)

ARTICLE 1.1. GENERAL PROVISIONS

Rule 1. Definitions; Collection of Religious Information; Lists

60 IAC 1.1-1-1 Definitions

Authority: IC 5-15-5.1-20

Affected: IC 4-1-6-1; IC 5-15-5.1-1

Sec. 1. As used in this rule [60 IAC 1.1], unless the context clearly requires another meaning, the following terms have the meanings set forth in this section.

(A) "Agency" means a "state agency" as defined in IC 4-1-6-1.

(B) "Oversight committee" means the oversight committee on public records.

(C) "Preparation" means any method of generation, including photo-reproduction or transcription of media for automatic data processing. *(Oversight Committee on Public Records; 60 IAC 1.1-1-1; filed Aug 1, 1980, 9:15 am: 3 IR 1479; filed Nov 4, 1983, 9:41 am: 7 IR 23; readopted filed Dec 2, 2001, 12:20 p.m.: 25 IR 1268)*

60 IAC 1.1-1-2 Religious information on individuals

Authority: IC 5-15-5.1-20

Affected: IC 5-15-5.1

Sec. 2. Collection of religious information about specific individuals is authorized under the following circumstances where religious information:

(A) Is voluntarily given and is needed to provide specialized individual services, such as special diets in state institutions, rehabilitative programs, or selective provisions of reading materials;

(B) Is voluntarily given and is incidental to the collection or other documentation in programs specifically mandated to preserve the historical, cultural or other heritages of the state; or

(C) Is needed to carry out responsibilities of the state for affirmative action or civil rights.

In each instance where a state agency wishes to collect religious information, the agency shall submit to the Oversight Committee a request for such collection. The request shall specify what kind of information is to be obtained, from whom, the specific uses of such information, whether or not such information will appear in any unrestricted record, whether or not the purpose for which collection is requested could be accomplished without the collection, and which provision of this section justifies the collection. The Oversight Committee shall consider each request separately, and shall maintain a list of the agencies and record series in which religious information may appear. No agency shall use religious information for any purpose other than that set forth in an approved request without making an additional request to the Oversight Committee. *(Oversight Committee on Public Records; 60 IAC 1.1-1-2; filed Aug 1, 1980, 9:15 am: 3 IR 1479; readopted filed Dec 2, 2001, 12:20 p.m.: 25 IR 1268)*

60 IAC 1.1-1-3 Disclosure of names and addresses for solicitation purposes

Authority: IC 5-15-5.1-20

Affected: IC 4-1-6-2; IC 5-15-5.1-10

Sec. 3. The Oversight Committee will consider requests from agencies for authority to prepare lists of names and addresses for commercial or charitable solicitations only under extraordinary circumstances. In such cases the following conditions must be met:

(A) The agency must make a separate request to the Oversight Committee each time the agency wishes to prepare a list.

(B) The agency in its request for authority must:

(1) specify the type of personal information that will appear in the list;

(2) certify that no confidential or restricted information is included with the names and addresses;

(3) specify how the expected use of the list will result in a direct benefit to the citizens of Indiana that cannot otherwise be provided; and

(4) describe the means to allow any person included in a list to have information about him/her deleted from any subsequent list prepared for commercial or charitable solicitation and to notify such persons of their right to be removed upon request.

(C) The agency must require persons who obtain and use the list to pay the cost of preparation, including any associated costs of notifying data subjects of their right to be deleted from a list upon request.

(D) The agency must require persons who request the list to agree to use the list only for the specific purposes that the Oversight Committee authorizes and must notify recipients of the list that unauthorized use will cause denial of future requests.

If satisfied that the requirements of this section are met, the Oversight Committee may authorize by motion the preparation of the list of names and addresses. (*Oversight Committee on Public Records; 60 IAC 1.1-1-3; filed Aug 1, 1980, 9:15 am: 3 IR 1480; readopted filed Dec 2, 2001, 12:20 p.m.: 25 IR 1268*)

Rule 2. Restricted Information (Repealed)

(*Repealed by Oversight Committee on Public Records; filed Nov 4, 1983, 9:41 am: 7 IR 23*)

ARTICLE 2. MICROFILMING STANDARDS FOR SOURCE DOCUMENTS WITH A RETENTION PERIOD OF MORE THAN FIFTEEN (15) YEARS

Rule 1. General Provisions

60 IAC 2-1-1 Purpose

Authority: IC 5-15-5.1-8; IC 5-15-5.1-20

Affected: IC 5-15-5.1-1; IC 5-15-5.1-5

Sec. 1. (a) The purpose of these microfilm standards is to create minimum legal, legibility, permanency standards for source document microfilm, with a retention period of more than fifteen (15) years, generated by agencies subject to IC 5-15-5.1-1. These microfilming standards are consistent with the microfilming standard approved by the Indiana state supreme court as Administrative Rule 6.

(b) This article does not apply to computer-output microforms nor does it apply to records filmed for administrative purposes with a retention schedule of fifteen (15) years or less. (*Oversight Committee on Public Records; 60 IAC 2-1-1; filed Feb 23, 1987, 11:30 a.m.: 10 IR 1358; filed Dec 19, 1988, 4:45 p.m.: 12 IR 1086; readopted filed Dec 2, 2001, 12:20 p.m.: 25 IR 1268*)

60 IAC 2-1-2 Fiscal impact

Authority: IC 5-15-5.1-8; IC 5-15-5.1-20

Affected: IC 5-15-5.1-1; IC 5-15-5.1-5

Sec. 2. (a) Fiscal impact will affect both individual agencies currently microfilming and the Indiana commission on public records, which operates the state government's central microfilming micrographics facility. The rule is subdivided into three (3) parts:

- (1) legality, by creation of a documentation file;
- (2) legibility, by use of certain targets and inspection procedures; and
- (3) permanency, achieved through processing of camera-generated negatives according to American National Standards Institute (ANSI) standards and storing such in specially maintained vaults.

(b) For individual agencies currently microfilming, fiscal impact will result in labor and purchase of additional supplies. The legality aspect of the standards require [*sic.*] a documentation file in which the steps and procedures of the microfilming process are documented in writing. Both the microfilm and the documentation file must be capable of being produced as evidence in court as the official, legal record of agency action. A certain amount of labor in generating such a file by record series is required. The extent of such labor will vary depending on the degree to which various agencies currently are generating such documentation. Additional labor is required for documenting each roll of microfilm, or microform, generated. Several hours per month, per record series, are required.

(c) Extensive labor may be required for the legibility section of these standards. Time to prepare source documents for microfilming, as well as inspecting each roll of microfilm, or each microform, for legibility and completeness, represents about seven (7) hours per every two thousand two hundred (2,200) images, which is equivalent to one (1) roll of microfilm. Since each agency currently should be preparing documents by organizing them, removing staples and other fasteners, and identifying them for microfilming, as well as checking each image for legibility and completeness, no additional fiscal impact should result. Secondly, labor is required to test microfilm for legibility. This requires the purchase and use of certain targets, especially resolution targets, at a cost generally not exceeding twenty-five dollars (\$25) per agency. An inspection procedure using a microscope can be performed by the micrographics division of the commission on public records using existing equipment, on a regular basis, requiring no more than five (5) minutes per record series, per agency. Additional identification, information coding, and test charts are required but these are generated for each source document microfilm, or microform, as needed.

(d) Microfilm processing must meet ANSI standards. The fixing of the camera-generated negative is critical to generate permanent microfilm; excessive fixing chemical, thiosulfate, will continue the chemical process, destroying the image over time. An expensive test for such residual thiosulfate must be performed periodically for each microfilm processor. Conducting this test one (1) time a week is recommended. Each test costs about twenty-five dollars (\$25) for supplies and equipment. As a maximum, five (5) tests per week, two hundred sixty (260) per year, may be required, costing approximately six thousand five hundred dollars (\$6,500). Each test requires about fifteen (15) minutes or one and one-fourth (1 1/4) hours per week in staff labor.

(e) Microfilm storage must meet ANSI standards. The useful life of camera-generated negatives is directly related to humidity and temperature levels of storage environment. The approximate cost for proper storage is two dollars and twenty-five cents (\$2.25) per cubic foot, per month.

(f) This article is designed to give uniformity to microfilming operations throughout state government, for the judicial (Administrative Rule 6), executive, and administrative branches of government. It clarifies certain minimum operating procedures which currently should be performed. Inspection and testing of microfilm provides *[sic.]* the means to determine if equipment or operating procedures are sufficient to guarantee the integrity and readability of the microfilm image. Fiscal impact of implementation of this article is hard to measure since agencies currently are performing some or most of these standardized procedures. Fiscal impact includes labor and supplies. (*Oversight Committee on Public Records; 60 IAC 2-1-2; filed Feb 23, 1987, 11:30 a.m.: 10 IR 1358; filed Dec 19, 1988, 4:45 p.m.: 12 IR 1087; readopted filed Dec 2, 2001, 12:20 p.m.: 25 IR 1268*)

60 IAC 2-1-3 Permanency

Authority: IC 5-15-5.1-8; IC 5-15-5.1-20
Affected: IC 5-15-5.1-1; IC 5-15-5.1-5

Sec. 3. (a) The American National Standards Institute (ANSI) has established industry-wide standards for microfilm permanency. To meet the ANSI standards for permanency, there are several major criteria to be met:

- (1) camera-generated negatives must be created according to ANSI PH1.25-1984;
- (2) camera-generated negatives must be processed according to ANSI PH4.8-1985; and
- (3) camera-generated negatives must be stored according to ANSI PH1.43-1985.

(b) These standards are explained in 60 IAC 2-2-5. (*Oversight Committee on Public Records; 60 IAC 2-1-3; filed Feb 23, 1987, 11:30 a.m.: 10 IR 1359; filed Dec 19, 1988, 4:45 p.m.: 12 IR 1088; readopted filed Dec 2, 2001, 12:20 p.m.: 25 IR 1268*)

Rule 2. Microfilming Standards

60 IAC 2-2-1 Application of standards

Authority: IC 5-15-5.1-5; IC 5-15-5.1-20
Affected: IC 5-15-5.1

Sec. 1. All agencies, as defined by IC 5-15-5.1, shall meet the standards set forth under this article regarding the use of microfilm for the preservation of any record generated by that agency. Only those records or record series which have been approved by the oversight committee on public records, under IC 5-15-5.1-19, implementing IC 5-15-5.1-12, shall be eligible for microfilming. (*Oversight Committee on Public Records; 60 IAC 2-2-1; filed Feb 23, 1987, 11:30 a.m.: 10 IR 1359; filed Dec 19, 1988, 4:45 p.m.: 12 IR 1088; readopted filed Dec 2, 2001, 12:20 p.m.: 25 IR 1268*)

60 IAC 2-2-2 Definitions

Authority: IC 5-15-5.1-5; IC 5-15-5.1-8; IC 5-15-5.1-20

Affected: IC 5-15-5.1

Sec. 2. The definitions in this section shall apply throughout this article.

(a) "AIIM" means Association for Information and Image Management.

(b) "ANSI" means American National Standards Institute.

(c) "MS" means microfilming standards.

(d) "Microfilm", when used as a noun, means a photographic film containing an image greatly reduced in size from the original, and when used as a verb, means the recording of microphotographs on film.

(e) "Microform" is a generic term for any form, usually film, which contains microimages.

(f) "NMS" means National Micrographics Standards.

(g) "PH" means photographic standards.

(h) "Target" means any document or chart containing identification information, coding, or test charts. A target is an aid to technical or bibliographical control which is photographed on the film proceeding [*sic.*] or following the document.

(i) "Standard" means a uniformly accepted set of compliances to a predefined norm.

(j) "Specifications" means a set of requirements to be satisfied, and whenever appropriate, the procedure which proves that the requirements given are satisfied.

(k) "Records series" means a group of related documents, either as to form or content, which are arranged under a single filing system, or kept together as a unit because they:

(1) consist of the same form;

(2) relate to the same subject;

(3) result in the same activity; and

(4) have certain physical characteristics (tapes, discs, microforms).

(l) "Record retention schedules" means a series of documents governing, on a continuing basis, the retention and disposition of recurring record series of an agency, court, or organization.

(m) "Reproduction" means the process of making an exact copy from an existing document. (*Oversight Committee on Public Records; 60 IAC 2-2-2; filed Feb 23, 1987, 11:30 a.m.: 10 IR 1359; filed Dec 19, 1988, 4:45 p.m.: 12 IR 1088; readopted filed Dec 2, 2001, 12:20 p.m.: 25 IR 1268*)

60 IAC 2-2-3 Documentation

Authority: IC 5-15-5.1-5; IC 5-15-5.1-8; IC 5-15-5.1-20

Affected: IC 5-15-5.1

Sec. 3. A formal written documentation file shall be created and retained for the life of the microfilm based upon an approved retention schedule documenting the following:

(1) The authority to microfilm specifically enumerated records.

(2) The arrangement of originals to be microfilmed.

(3) Any weeding policy of documents to determine what papers from the file will be placed on microfilm.

(4) Any contracts with agents of record custodians, in-house or vendor, who will perform the actual microfilming.

(5) The reproduction process employed to assure accuracy.

(6) Verification of the microfilm for completeness and legibility.

(7) The justification for the microfilming of the originals, i.e., space reduction, security, and the written process for the destruction of originals as authorized by an approved retention schedule.

(8) The identity of persons who supervised the microfilming procedures who are capable of giving evidence of these procedures.

(9) The retention schedule for the documentation matching the length of time of the microform.

(10) Certification of compliance with this section to the director, Indiana commission on public records.

(*Oversight Committee on Public Records; 60 IAC 2-2-3; filed Feb 23, 1987, 11:30 a.m.: 10 IR 1359; filed Dec 19, 1988, 4:45 p.m.: 12 IR 1089; readopted filed Dec 2, 2001, 12:20 p.m.: 25 IR 1268*)

60 IAC 2-2-4 Legibility

Authority: IC 5-15-5.1-1; IC 5-15-5.1-5; IC 5-15-5.1-8; IC 5-15-5.1-20
Affected: IC 5-15-5.1

Sec. 4. (a) Resolution in a microfilm system for documents shall be tested for resolution capability, upon installation, by use of a camera test chart such as the "Rotary Camera Test Chart", ANSI/AIIM MS112-1983 and ANSI/AIIM MS113-1983; "The Planetary Camera Test Chart", AIIM MS303-1980. Micrographics systems used for agency records must meet the following standards:

- (1) A micrographic system for documents must produce a quality index level of not less than 5.0 for first-generation microfilm as measured according to ANSI/NMA MS23-1983. In applying this ANSI standard, a lowercase letter "e" height of one and four-tenths (1.4) millimeters or less must be used.
- (2) All pattern groups on the camera test chart must be read. The smallest line pattern, which corresponds to the highest number, in which both horizontal and vertical lines are clearly discernible is the resolving power of that pattern group.
- (3) The film used in reading the camera test chart must be processed to the density standard in subsection (b).
- (b) Density in microfilm systems used for agency records must meet the following standards:
 - (1) Background density in first-generation negative microfilm of documents must be maintained as nearly as practical in the range of 0.92 to 1.20. No density over 1.25 or under 0.87 is allowed.
 - (2) If a density in first-generation negative microfilm of documents occurs in the ranges 0.87 to 0.91 or 1.21 to 1.25, the records custodian shall determine by visual inspection that all such images satisfactorily reproduce all required record information.
 - (3) The density of microfilm in a clear area (base plus fog density or D_{min}) must not be greater than 0.10.
- (c) Reduction ratio in microfilm systems for agency records must meet the following standards:
 - (1) For microfilming of documents, a ratio of 25:1 or 24:1 or less is required.
 - (2) A reduction ratio for microfilm of documents of greater than 25:1 may be used only if the micrographic system can maintain the required quality index at the higher reduction.

(Oversight Committee on Public Records; 60 IAC 2-2-4; filed Feb 23, 1987, 11:30 a.m.: 10 IR 1360; errata, 10 IR 1884; filed Dec 19, 1988, 4:45 p.m.: 12 IR 1089; readopted filed Dec 2, 2001, 12:20 p.m.: 25 IR 1268)

60 IAC 2-2-5 Permanency

Authority: IC 5-15-5.1-1; IC 5-15-5.1-5; IC 5-15-5.1-8; IC 5-15-5.1-20
Affected: IC 5-15-5.1

Sec. 5. For records requiring permanent retention, based on an approved retention schedule, the following shall apply:

- (1) Raw stock microfilm shall be of a safety-based permanent record film meeting specification [*sic.*] of American National Standards Institute PH1.25-1984.
- (2) The camera-generated master negative microfilm shall be silver-halide, silver-gelatin, meeting the permanency requirements of American National Standards Institute PH1.28-1984 and PH1.41-1984.
- (3) Residual thiosulfate on the film must be measured using the methylene blue test and meet American National Standards Institute PH4.8-1985.
- (4) The master microfilm record meeting the above criteria shall be stored at a site other than the producing agency's structure, in a fire-proof vault, meeting American National Standards Institute PH1.43-1985.
- (5) In addition to the master microfilm record, which is a security copy, the agency may provide working copies of the microfilm. These may be on silver, diazo, vesicular, dry silver, or transparent electro-photograph film, on a safety base of cellulose ester or polyester material.

(Oversight Committee on Public Records; 60 IAC 2-2-5; filed Feb 23, 1987, 11:30 a.m.: 10 IR 1360; filed Dec 19, 1988, 4:45 p.m.: 12 IR 1090; readopted filed Dec 2, 2001, 12:20 p.m.: 25 IR 1268)

60 IAC 2-2-6 Specifications

Authority: IC 5-15-5.1-1; IC 5-15-5.1-5; IC 5-15-5.1-8; IC 5-15-5.1-20
Affected: IC 5-15-5.1

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Sec. 6. Specific brands of equipment, microfilm, and photographic chemicals are outside the nature of this article. (*Oversight Committee on Public Records; 60 IAC 2-2-6; filed Feb 23, 1987, 11:30 a.m.: 10 IR 1361; filed Dec 19, 1988, 4:45 p.m.: 12 IR 1090; readopted filed Dec 2, 2001, 12:20 p.m.: 25 IR 1268*)

60 IAC 2-2-7 Admissibility in courts

Authority: IC 5-15-5.1-1; IC 5-15-5.1-5; IC 5-15-5.1-8; IC 5-15-5.1-20

Affected: IC 5-15-5.1-8

Sec. 7. Source document microfilm produced under this article shall be admissable [*sic.*] in court according to IC 5-15-5.1-8. (*Oversight Committee on Public Records; 60 IAC 2-2-7; filed Feb 23, 1987, 11:30 a.m.: 10 IR 1361; filed Dec 19, 1988, 4:45 p.m.: 12 IR 1090; readopted filed Dec 2, 2001, 12:20 p.m.: 25 IR 1268*)

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